

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

ANTHONY DUANE WILSON, )  
Plaintiff, ) CASE NO. 4:24-cv-00062  
vs. ) JUDGE BENITA Y. PEARSON  
WORLD WRESTLING )  
ENTERTAINMENT, INC., et al., ) JURY DEMAND  
Defendants. )

**DEFENDANT ALL ELITE WRESTLING, LLC'S ANSWER TO AMENDED  
COMPLAINT**

Defendant All Elite Wrestling, LLC (“AEW”), by and through undersigned counsel, answers the Amended Complaint (ECF No. 15) of Plaintiff Anthony Duane Wilson (“Wilson” or “Plaintiff”) and states as follows:

Pursuant to Fed. R. Civ. P. 8(b)(3), AEW denies all the allegations of Wilson's Amended Complaint directed against AEW. AEW lacks knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations directed solely to WWE. AEW has carefully read Wilson's Amended Complaint and in good faith denies or denies for lack of knowledge or information every fact alleged therein.

**AFFIRMATIVE DEFENSES**

1. Wilson's Amended Complaint, in whole or in part, fails to state a claim upon which relief may be granted.
2. Wilson's Amended Complaint, in whole or in part, fails to comply with Fed. R. Civ. P. 8 because it fails to provide a "short and plain statement of the claim showing that the pleader is entitled to relief."

3. Wilson's Amended Complaint, in whole or in part, fails to comply with Fed. R. Civ. P. 8 because it fails to provide "a demand for the relief sought."

4. Wilson's Amended Complaint, in whole or in part, is barred by the applicable statute(s) of limitations.

5. Wilson's Amended Complaint, in whole or in part, is barred because he lacks standing.

6. To the extent Wilson alleges a claim for copyright infringement, such a claim is barred because Wilson does not allege the existence of a registered copyright.

7. To the extent Wilson alleges a claim for copyright infringement, such a claim is barred because any alleged work is not an original work of authorship.

8. To the extent Wilson alleges a claim for copyright infringement, such a claim is barred because of All Elite's independent development of any allegedly infringing work.

9. To the extent Wilson alleges a claim for copyright infringement, such a claim is barred by the doctrines of merger and scenes a faire.

10. To the extent Wilson alleges a claim for copyright infringement, such a claim is barred by fair use.

11. To the extent Wilson alleges a claim for trademark infringement and/or unfair competition, such a claim is barred because Wilson does not allege the existence of a valid trademark.

12. To the extent Wilson alleges a claim for trademark infringement and/or unfair competition, such a claim is barred by fair use.

13. To the extent Wilson alleges a claim for trademark infringement and/or unfair competition, such a claim is barred by the First Amendment.

14. To the extent Wilson alleges a claim for trademark infringement and/or unfair competition, such a claim is barred by abandonment.

15. To the extent Wilson alleges a claim for misappropriation of trade secrets, such a claim is barred because the information Wilson claims as a trade secret is generally known and already in the public domain.

16. To the extent Wilson alleges a claim for misappropriation of trade secrets, such a claim is barred because the information Wilson claims as a trade secret is readily ascertainable by proper means.

17. To the extent Wilson alleges a claim for misappropriation of trade secrets, such a claim is barred because the information Wilson claims as a trade secret was not subject to efforts that were reasonable under the circumstances to maintain its secrecy.

18. To the extent Wilson alleges a claim for fraud, it is barred because he failed to plead it with specificity as required by Fed. R. Civ. P. 9.

19. To the extent Wilson alleges an entitlement to special damages, such a claim is barred by the failure to plead with particularity as required by Fed. R. Civ. P. 9.

20. Wilson's claims are barred, in whole or in part, due to Wilson's failure to mitigate its damages.

21. Wilson's claims are barred, in whole or in part, because to the extent Wilson has suffered any damages, those damages were caused by his own actions or inactions, or the actions or inactions of third parties.

22. Wilson's claims are barred, in whole or in part, by the doctrines of waiver, laches, estoppel, and unclean hands.

23. Wilson's claims are barred, in whole or in part, by lack of consideration.

24. To the extent Wilson alleges an entitlement to punitive damages, such a claim is barred because AEW has not acted with malice, reckless indifference, or fraud toward Wilson and therefore cannot be held liable for punitive damages.

25. To the extent Wilson alleges an entitlement to punitive damages, such a claim is barred because Wilson has not pled facts sufficient to support such an award.

26. To the extent Wilson alleges an entitlement to punitive damages, such a claim is barred because an award of punitive damages in this case would violate AEW's constitutional rights under provisions of the United States and Ohio Constitutions, including but not limited to the due process clauses of the Fifth and Fourteenth Amendments and the excessive fines clause of the Eight Amendment to the United States Constitution.

27. AEW reserves the right to amend this Answer and to raise any additional affirmative defenses not pleaded herein should it discover that such defenses are appropriate and/or available.

WHEREFORE, having fully answered and stated affirmative defenses, AEW prays for judgment in its favor, for an award of attorneys' fees and costs, and for such other further relief as this Court deems just and proper.

Respectfully submitted,

*/s/ Rachael L. Rodman*  
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*Attorney for Defendant All Elite Wrestling,  
LLC*

**JURY DEMAND**

Defendants request a jury for all issues so triable.

*/s/ Rachael L. Rodman*

*Attorney for Defendant All Elite Wrestling,  
LLC*

**CERTIFICATE OF SERVICE**

I certify that on May 3, 2024, I filed the foregoing electronically. All parties will receive notice of this filing through the Court's electronic filing system and may access this filing through the Court's system. Plaintiff Anthony Duane Wilson was also served via regular U.S. Mail at the following addresses:

6862 State Route 7  
Kinsman, OH 44428

Trumbull County Jail  
150 High Street NW  
Warren, OH 44481

*/s/ Rachael L. Rodman*  
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Attorney for Defendant All Elite Wrestling,  
LLC